

**REMARKS**

**Status of the Application**

Claims 1-9 are the claims that have been examined in the instant application. Claims 1-4 and 9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Sayama (U.S. 6,419,337). Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sayama in view of Kobayashi (U.S. 6,679,586). Claims 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sayama in view of Hosono (U.S. 6,984,010).

By this Amendment, Applicant is adding new claims 10 and 11.

**Claim Rejections -- 35 U.S.C. § 102**

*Claims 1-4 and 9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Sayama (U.S. 6,419,337).*

Claim 1 recites, in part, "a drive signal generator, which generates a drive signal containing, within one cycle, thereof: a first drive subsignal, containing a plurality of first drive pulses ... and a second drive pulse ... and at least one second drive subsignal, containing the first drive pulses without containing the second drive pulses." The Examiner alleges that Sayama teaches or suggests all of the elements of claim 1. Applicant respectfully disagrees.

The Examiner seems to allege that Fig. 4 of Sayama shows that a vibrating pulse PS5, which corresponds to the second drive pulse claimed in claim 1 and which may be inserted in the drive signal COM. However, one cycle T of the drive signal COM of Sayama contains either a signal provided with the vibrating pulse PS5 or a signal provided without the vibrating pulse PS5. Even if the vibrating pulse PS5 can be selectively inserted for each cycle T in Sayama, at

least two cycles 2T are necessary to contain a signal provided with the vibrating pulse and a signal provided without the vibrating pulse as recited in claim 1. Therefore, because Sayana fails to teach or suggest all of the elements of claim 1, claim 1 is patentable over the applied art.

Claims 2-4 are patentable at least by virtue of their dependency from claim 1. Claim 9 recites limitations similar to claim 1, and is patentable for reasons analogous thereto.

**Claim Rejections -- 35 U.S.C. § 103**

A. *Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sayama in view of Kobayashi (U.S. 6,679,586).*

Claims 5 and 6 are dependent from claim 1. Because Sayama fails to teach or suggest all of the elements of claim 1, and because Kobayashi fails to cure the defects noted with respect to claim 1, claims 5 and 6 are patentable at least by virtue of their dependency.

B. *Claims 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sayama in view of Hosono (U.S. 6,984,010).*

Claims 7 and 8 are dependent from claim 1. Because Sayama fails to teach or suggest all of the elements of claim 1, and because Hosono fails to cure the defects noted with respect to claim 1, claims 7 and 8 are patentable at least by virtue of their dependency.

**New Claims**

New claims 10 and 11 are dependent from claim 1. Therefore, claims 10 and 11 are patentable at least by virtue of their dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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